



## **Complaints Policy and Procedures**

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## 1. Introduction

The Diocese of Bristol Academies Trust (DBAT) is a multi-academy trust with a faith designation and a Christian religious ethos that is both distinctive and inclusive. Distinctive in the sense that all decisions about the nature and purpose of the Academy are taken through the lens of Christian values, inclusive in the sense that all students and staff are equally valued for their uniqueness in the eyes of God and their belonging to the school community.

## 2. Ethos statement

### **Vision**

The Diocese of Bristol Academies Trust (DBAT) shares the Church of England’s Vision for Education 2016, “Deeply Christian, Serving the Common Good”, which includes four basic elements wisdom, hope, community and dignity. We aim to deliver values-led education with the very best outcomes for children and young people.

## Purpose

To provide high quality education enabling young people to flourish and grow: spiritually, in love and in understanding.

## 3. Scope/ aims

- 3.1 The school has adopted this policy to allow parents/ carers of pupils attending the school to raise a concern or complaint relating to the school. The policy is based upon the Department for Education's model complaints procedure, March 2021.
- 3.2 This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint about any provision of facilities or services that we provide.
- 3.3 This procedure covers all complaints about any provision of community facilities or services by the school, other than the complaints that are dealt with under other statutory procedures, including those listed below:

Exceptions	Who to contact
Admissions to schools	Concerns about admissions should be handled through a separate process – either through the appeals process or via the local authority.
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.  If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).
Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: <a href="https://www.gov.uk/school-discipline-exclusions/exclusions">https://www.gov.uk/school-discipline-exclusions/exclusions</a>  *Complaints about the application of the behaviour policy can be made through the school's complaints policy.
Whistleblowing	We have an internal whistleblowing policy for all our employees, including temporary staff and contractors.  The Secretary of State for Education is the prescribed person for matters relating to education for whistle-blowers who do not want to raise matters directly with their employer. Referrals can be made at: <a href="https://www.gov.uk/contact-dfe">https://www.gov.uk/contact-dfe</a>  Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain directly to the LA or the Department for Education (see link above) depending on the substance of your complaint.
Staff grievances	Complaints from staff will be dealt with under the Trust's internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate.

	Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
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- 3.4 It is in everyone’s interests that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use formal stages of the complaints procedure. We take concerns seriously and will make every effort to resolve the matter as quickly as possible.
- 3.5 At each stage of the policy, we want to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:
- An explanation
  - An admission that the situation could have been handled differently or better
  - An assurance that we will try to ensure the event complained of will not recur
  - An explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
  - An undertaking to review school policies in light of the complaint
  - An apology
- 3.6 Our Christian ethos and our school’s core values play an important part in the way we deal with and resolve concerns and complaints: these include respect, forgiveness, trust, kindness, truth and patience.
- 3.7 We celebrate the diversity within our school and want all people to feel they have had the chance to be heard. We will consider making reasonable adjustments if required, to enable complaints to access and complete this complaints policy. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## 4. Definitions and key principles

- 4.1 A concern may be defined as *‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’*.
- 4.2 A complaint may be defined as *‘an expression of dissatisfaction however made, about actions taken or a lack of action’*.
- 4.3 In order to investigate your complaint as fully as possible, we have implemented a staged approach. We anticipate that almost all complaints that arise will be resolved at Stage 1 or Stage 2 below.
- 4.4 We expect our members of staff to be addressed in a respectful manner and for communication to remain calm at all times.

- 4.5 The procedure under Part 2 will only be used on very rare occasions to deal with unreasonably persistent complainants or unreasonable complainant behaviour.
- 4.6 To enable a proper investigation, concerns or complaints should be brought to the attention of the school as soon as possible. In general, any matter raised more than 3 months after the event being complained of will not be considered, unless exceptional circumstances apply.
- 4.7 An anonymous concern or complaint will not be investigated under this procedure unless there are exceptional circumstances.
- 4.8 Complaints may be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.
- 4.9 Academy Council members who raise a complaint in line with this policy must step down from the Academy Council until resolution of the process. The return date will be decided in consultation with the CEO.
- 4.10 If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly and given an explanation as to why this has been the case and provided with revised timescales.
- 4.11 If other bodies are investigating aspects of the complaint, for example the police, local authority, safeguarding teams or tribunals, this may impact our ability to adhere to the timescales within this policy or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.
- 4.12 If a complainant commences legal action against the school in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.
- 4.13 In this procedure:
- 'School days' excludes weekends and school holidays
  - 'Parent' means a parent, carer or anyone with legal responsibility for a child
- 4.14 We will consider complaints made outside of term time to have been received on the first school day after the holiday period.
- 4.15 If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.
- 4.16 A written record will be kept of all complaints, including at what stage they were resolved.
- 4.17 All correspondence, statements and records relating to individual complaints will be kept confidential, except where access is requested by the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

## PART 1: COMPLAINTS PROCEDURE

### 5. Stage 1: Informal concerns

- 5.1 It is to be hoped that most concerns can be expressed and resolved on an informal basis.
- 5.2 Parents/ carers are always welcome to raise concerns with their child's class teacher or an appropriate member of staff by letter, by telephone or in person. It is helpful if you can explain the nature of your concerns and identify the outcome you are looking for.
- 5.3 Where you wish to discuss the matter in person, you may need to make an appointment which can be arranged via the school office. If the member of staff cannot immediately deal with the matter, they will make a clear note of your name and contact details and arrange for someone to contact you to discuss your concerns as soon as practicable. A degree of patience may be required as not all matters can be settled immediately.
- 5.4 You should not approach individual Academy Council members to raise concerns or complaints. They have no power to act on an individual basis and it may prevent them from considering complaints at Stage 3 of the policy.
- 5.5 If the matter is brought to the attention of the Head, they may decide to deal with your concerns directly at this stage. If the concerns are about the Head, these should be referred directly to the Chair of the Academy Council under Stage 2.
- 5.6 The member of staff dealing with the concern will make sure that you are clear on what action (if any) has been agreed. This may be put in writing if appropriate.
- 5.7 Where no satisfactory solution has been found within 15 school days, you will be advised that if you wish your concerns to be considered further, you should write to the Head under Stage 2.

### 6. Stage 2: Formal complaint to the Head

- 6.1 Process for making a formal complaint to the Head
  - 6.1.1 If your concerns are not resolved under Stage 1 or you wish your concerns to be dealt with immediately as a formal complaint, you should put your complaint in writing and send this to the Head. Please mark as Private and Confidential.
  - 6.1.2 Your written complaint should include details which might assist the investigation, such as:
    - the nature of the complaint
    - details of how the matter has been dealt with so far
    - the names of potential witnesses
    - dates and time of events

- copies of all relevant documents

It is very important that you include a clear statement of the actions that you would like to school to take to resolve your complaint.

- 6.1.3 A template form is included at the end of this policy (Appendix B). If you require help in completing the form, please contact the school office. You can also ask a third-party organisation, for example like Citizens Advice, to help you.
- 6.1.4 Your complaint will be acknowledged in writing within 3 school days of receipt. The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This will normally be within 15 school days.
- 6.1.5 The Head (or someone appointed by the Head) will usually invite you to a meeting to clarify your complaints and to explore possible resolutions. If you accept that invitation, you may be accompanied by one other person, such as a friend, relative, advocate or interpreter, to assist you. Where possible, this meeting will take place within 10 school days of receipt of the written complaint.
- 6.1.6 If necessary, witnesses will be interviewed and statements taken from those involved.
- 6.1.7 If the complaint centres on a pupil, the pupil should also be interviewed. Pupils should normally be interviewed with parents/ carer present, but if this would seriously delay the investigation of a serious or urgent complain or if the pupil has specifically said that they would prefer that parents/ carers were not involved, another member of staff with whom the pupil feels comfortable should be present.
- 6.1.8 If a member of staff is complained against, they must have the opportunity to present their case.
- 6.1.9 The Head will keep a written record of any meetings/ interviews in relation to their investigation. The Head will also inform the Trust's Central team when a complaint reaches Stage 2, using the form available from the Governance team.
- 6.1.10 Once all the relevant facts have been established as far as possible, you will be provided with a written response to the complaint, including a full explanation of the decision and the reasons for it. This will include what action the school will take to resolve the complaint (if any).
- 6.1.11 If the Head is unable to meet the response deadline, they will provide you with an update and revised response date.
- 6.1.12 You will be advised that if you are dissatisfied with the outcome of the complaint, you may request that your complaint be heard by the Academy Council complaints panel.

6.1.13 If, in the course of an investigation, a fault is identified, the Head should take immediate action to put matters right so that any potential injustice does not continue or risk happening to somebody else.

## 6.2 What if the complaint is about the Head?

If the complaint is against the Head, or if the Head has been closely involved at Stage 1, your complaint should be sent to the Chair of the Academy Council who will carry out all the Stage 2 procedures. Please mark as Private and Confidential.

## 6.3 What if the complaint is about a member of the Academy Council or the Academy Council as a whole?

You should contact the Clerk to the Academy Council via the School Office. Please mark as Private and Confidential.

Stage 2 will be escalated to the CEO of the Trust if the complaint is:

- Jointly about the Chair and the vice-Chair; or
- The entire Academy Council; or
- The majority of the Academy Council

## 6.4 What if the complaint is about the Chief Executive Officer (CEO) or a trustee of the Trust?

Complaints about the CEO or a trustee of the Trust should be addressed to the Chair of Trustees, c/o Diocese of Bristol Academies Trust, Kingfisher CE Academy, Peglars Way, Swindon, SN1 7DA. Please mark as Private and Confidential.

If a formal complaint is made about the Chair of Trustees, the complaint should be referred to the vice-Chair for investigation.

# 7 Stage 3: Referral to Academy Council Complaints Panel

7.1 If you are dissatisfied with the decision under Stage 2, you may request that a local Academy Council Complaints Panel be convened to consider your complaint.

7.2 Your request will only be considered if you have completed the relevant procedures at Stage 1 and Stage 2.

7.3 To request a hearing before the Complaints Panel, you should write to the Chair of the Academy Council c/o the school's address within 10 school days of receiving notice of the outcome of Stage 2. Requests received outside of this timeframe will only be considered if exceptional circumstances apply.



- 7.4 You should ensure that you provide copies of all relevant documents and state all the grounds for your complaints and the outcome that you desire. You may wish to use the Complaints Panel Request Form provided in Appendix C.
- 7.5 Your written request will be acknowledged within 3 school days of receipt.
- 7.6 The Chair of the Academy Council will arrange for a Complaints Panel to be convened, made up of two Academy Council members and one independent member, with no prior involvement in this matter.
- 7.7 The Clerk shall appoint one of these members to be the Chair of the Complaints Panel.
- 7.8 The Chair of the Academy Council may sit on or chair the Complaints Panel if appropriate.
- 7.9 When deciding on the make-up of the panel, we will bear in mind the advantages of including a parent member of the Academy Council and, if possible, having a balance of race and gender.
- 7.10 It will not normally be appropriate for the Head to sit on the panel.
- 7.11 Careful consideration will be given as to whether it is appropriate for staff members of the Academy Council to be appointed as panel members as, in many instances, this may lead to a conflict of interest.
- 7.12 The Chair of the Academy Council will also notify the DBAT Board of Trustees and the DBAT Governance Officer that a Complaints Panel has been convened and the date of the hearing, using the form available from the Governance team.
- 7.13 Every effort will be made to enable the hearing to take place within 20 school days of the receipt of your request. As soon as reasonably practicable and in any event at least 5 school days before the hearing, you will be sent written notification of the date, time and place of the hearing, together with brief details of the Complaints Panel members who will be present.
- 7.14 If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.
- 7.15 Fair consideration will be given to any bona fide objection to a particular member of the panel.
- 7.16 The notification will also inform you of your right to be accompanied to the meeting by a friend, relative, advocate or interpreter and explain how the meeting will be conducted. Representatives from the media are not permitted to attend.
- 7.17 A copy of the complaint and any other documents provided by you in support of your complaint or by the school in defence of the complaint shall be provided to the Complaints Panel as soon as practicable upon receipt.

- 7.18 Copies of these documents will also be provided to you or Head/ Chair of the Academy Council (as applicable).
- 7.19 The Complaints Panel reserves the right not to consider any documentation presented by either you or the school less than 3 school days prior to the hearing. The Complaints Panel is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
- 7.20 The Complaints Panel will not normally accept as evidence recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- 7.21 The Complaints Panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.
- 7.22 The hearing will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before recordings of meetings or conversations take place. Consent will be recorded in any minutes taken.
- 7.23 The hearing will be conducted in such a way as to ensure that all those present have the opportunity to present their case, ask questions and make comments in an appropriate manner.
- 7.24 The Clerk to the Academy Council or a nominated deputy will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decision taken or actions agreed. These will be shared with all parties.
- 7.25 The meeting will allow for:
- The complainant to explain their complaint and the Head to explain the school's response
  - The opportunity for both parties to ask questions of each other about the complaint
  - Panel members to have an opportunity to question both the complainant and the Head
  - Any party to call witnesses (subject to the approval of the Panel) and all parties having the right to question any witnesses
  - Final statements by both the complainant and the Head
- 7.26 After the hearing, the Complaints Panel will consider their decision and inform you of their decision in writing within 5 school days. The Panel can (by a majority if necessary):
- Dismiss the complaint in whole or in part
  - Uphold the complaint in whole or in part
  - Decide on the appropriate action to be taken to resolve the complaint
  - Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again

- 7.27 The response will be written by the Chair of the Complaints panel. The response will detail any actions taken to investigate the complaint and provide a full explanation of their decision and the reason(s) for it. Where appropriate, it will include details of actions the school will take to resolve the complaint.
- 7.28 You will be advised that if you are dissatisfied with the outcome of the complaint, you may request a review of the Academy Council Complaints Panel decision under Stage 4.
- 7.29 The Complaints Panel will ensure that those findings and recommendations are sent by email or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the Trust and the Head.
- 7.30 Stage 3 will be escalated to Trustees and an independent panel member if the complaint is:
- Jointly about the Chair and the vice-Chair; or
  - The entire Academy Council; or
  - The majority of the Academy Council

## 8 Stage 4: Review of the Academy Council Complaints Panel decision

- 8.1 If you are dissatisfied with the decision made by the Academy Council Complaints Panel, you may request a review of the decision by the DBAT Board of Trustees. To request a review, you should write to the Chair of the Board of Trustees within 10 school days of receiving notice of the Academy Council's decision. Requests received outside of this timeframe will only be considered if exceptional circumstances apply.
- 8.2 You should ensure that you provide copies of all relevant documents and state the reasons why you wish the decision of the Academy Council Complaints Panel to be reviewed. You may wish to use the Board Review Request Form in Appendix D.
- 8.3 All correspondence should be sent to: Chair of Board of Trustees, c/o Diocese of Bristol Academies Trust, Kingfisher CE Academy, Peglars Way, Swindon, SN1 7DA.
- 8.4 Your request for a review will be acknowledged within 3 school days of receipt. The Clerk to the Board of Trustees will arrange for a Board Review Panel to be convened, made up of two Trustees of DBAT and one other person who is independent of the management and running of DBAT and the school. The Clerk to the Board of Trustees will inform the Central team of the Board Review Panel by using the form available from the Governance team.
- 8.5 The Chair of the Panel shall be appointed by the Chair of the Board of Trustees.
- 8.6 The Chair of the Board of Trustees may sit on or chair the Board Review Panel if appropriate.
- 8.7 Every effort will be made to enable the hearing to take place within 20 school days of the receipt of your request. As soon as is reasonably practicable and in any event at least 5 school days

before the hearing, you will be sent written notification of the date, time and place of the hearing, together with brief details of the Board Review Panel members who will be present.

- 8.8 If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.
- 8.9 Fair consideration will be given to any bona fide objection to a particular member of the panel.
- 8.10 The notification will also inform you of your right to be accompanied to the meeting by a friend, relative, advocate or interpreter and explain how the meeting will be conducted. Representatives from the media are not permitted to attend.
- 8.11 A copy of your request and any other documents provided by you in support of your request or by the school in their defence shall be provided to the Board Review Panel as soon as practicable upon receipt.
- 8.12 Copies of these documents will also be provided to you or Head/ Chair of the Academy Council (as applicable).
- 8.13 The Board Review Panel reserves the right not to consider any documentation presented by either you or the school less than 3 school days prior to the hearing. The Board Review Panel is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
- 8.14 The Board Review Panel will not normally accept as evidence recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- 8.15 The Board Review Panel will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.
- 8.16 The hearing will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.
- 8.17 The hearing will be conducted in such a way as to ensure that all those present have the opportunity to present their case, ask questions and make comments in an appropriate manner.
- 8.18 The Clerk to the Trustees or a nominated deputy will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decision taken or actions agreed.
- 8.19 The meeting will allow for:
- The complainant to explain their complaint and the Head to explain the school's response
  - The opportunity for both parties to ask questions of each other about the complaint

- Panel members to have an opportunity to question both the complainant and the Head
- Any party to call witnesses (subject to the approval of the Panel) and all parties having the right to question any witnesses
- Final statements by both the complainant and the Head

8.20 After the hearing, the Board Review Panel will consider their decision and inform you of their decision in writing within 5 school days. The Panel can (by a majority if necessary):

- Dismiss the complaint in whole or in part
- Uphold the complaint in whole or in part
- Decide on the appropriate action to be taken to resolve the complaint
- Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again

8.21 The response will be written by the Chair of the Board Review panel. The response will detail any actions taken to investigate the complaint and provide a full explanation of their decision and the reason(s) for it. Where appropriate, it will include details of actions the school will take to resolve the complaint.

8.22 You will be advised that if you are dissatisfied with the outcome of the complaint, you may refer the complaint to the Education and Skills Funding Agency.

8.23 The Board Review Panel will ensure that those findings and recommendations are sent by email or otherwise given to the complainant and, where relevant, the person complained about. Furthermore, they will be available for inspection on the school premises by the Trust and the Head.

8.24 Stage 4 will be heard by a completely independent committee panel if the complaint is:

- Jointly about the Chair and the vice-Chair; or
- The entire Academy Council; or
- The majority of the Academy Council

## 9 Stage 5: Referral of complaint to the Education and Skills Funding Agency (ESFA)

9.1 If you are dissatisfied with the decision of the Board Review Panel, you are entitled to refer your complaint to the Education and Skills Funding Agency (ESFA) who has limited powers to review the handling of the complaint in accordance with the ESFA's 'Procedure for dealing with complaints about academies'.

9.2 At the time of writing this procedure, the ESFA procedure and ESFA school complaints form are available at: <https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure>

## PART 2: UNREASONABLY PERSISTENT COMPLAINANTS AND UNREASONABLE COMPLAINANT BEHAVIOUR

There are rare circumstances where the school will deviate from the Complaints Procedure set out in Part 1. These include, but are not necessarily limited to:

- Where the complainant's behaviour towards staff, Academy Council members and/or Trustees is unacceptable, for example, is abusive, offensive or threatening
- Where, because of the frequency of their contact with the school, the complainant is hindering the consideration of their or other people's complaints and/or the proper running of the school
- Where the complaint is clearly vexatious and/or has patently insufficient grounds
- Where the complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full by the school

In these circumstances, the school may:

- Inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it
- Restrict the complainant's access to the school e.g. requesting contact in a particular form (for example, letters only), requiring contact to take place with a named person only, restricting telephone call to specified days and times or banning the complainant from the school's premises
- Conduct the Academy Council Complaints Panel and/or the Board Review Panel on the papers only i.e. not hold a hearing
- Refuse to consider the complaint and refer the complainant directly to either Stage 4 or Stage 5 (as appropriate)

In all cases we will write to tell the complainant why we believe their behaviour is unacceptable and unreasonably persistent, what action we are taking and the duration of that action.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, Academy Council members and/or Trustees, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

## 10 Our Ethos and Values

As identified at the opening of this policy, our structure and approach here is underpinned by our Christian ethos and values, focused on an ethos that is both distinctive and inclusive.

In our adoption and subsequent adaptation of this policy we have asked ourselves two clear questions: "Is this policy and practice underpinned by our vision and values?" and "What is the impact of our vision and values on those subject to the policy?". This is a key focus of our ongoing development of policy and practice.

## Appendix A – Roles and Responsibilities

### Complainant

The complainant will receive a more effective response to their complaint if they:

- ✓ Explain the complaint in full as early as possible
- ✓ Co-operate with the school in seeking a solution to the complaint
- ✓ Respond promptly to requests for information or meetings, or in agreeing the details of the complaint
- ✓ Ask for assistance as needed
- ✓ Treat all those involved in the complaint with respect
- ✓ Refrain from publicising the details of their complaint on social media and respect confidentiality

### Stage 2 Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- ✓ Providing a comprehensive, open, transparent and fair consideration of the complaint through:
  - Sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
  - Interviewing staff and children/ young people and other people relevant to the complaint
  - Consideration of records and other relevant information
  - Analysing information
- ✓ Liaising with the complainant to clarify what the complainant feels would put things right

The investigator should:

- ✓ Conduct interviews with an open mind and be prepared to persist in the questioning
- ✓ Keep notes of interviews or arrange for an independent note taker to record notes of the meetings
- ✓ Ensure that any papers produced during the investigation are kept securely pending any appeal
- ✓ Be mindful of the timescales to respond
- ✓ Prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems

### **Clerk to Academy Council (Stage 3) and Clerk to Board of Trustees (Stage 4)**

The Clerk is the contact point for the complainant and the review panel and should:

- ✓ Ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including under any legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act 2018 and the General Data Protection Regulations 2018
- ✓ Ensure everyone has a copy of Complaints policy at all stages
- ✓ Set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties, and that the venue and proceeding are accessible
- ✓ Collate any written material relevant to the complaint (e.g. stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within the agreed timescales in the Complaints policy
- ✓ Take minutes of the proceedings
- ✓ Circulate the minutes of the proceedings

### **Review Panel Chair (Stage 3 and 4)**

The Review Panel Chair should ensure that:

- ✓ Both parties are asked (by the Clerk) to provide any additional information relating to the complain by a specified date in advance of the meeting, in line with the agreed timescales in the Complaints policy
- ✓ The meeting is conducted in an informal manner, is not adversarial and that everyone is treated with respect and courtesy
- ✓ Complainants who may not be used to speaking as such a meeting are put at ease
- ✓ The remit of the Review Panel is explained to the complainant
- ✓ Written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR
- ✓ Both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting
- ✓ The issues are addressed
- ✓ Key findings of fact are made
- ✓ The committee is open-minded and acts independently
- ✓ No member of the committee has an external interest in the outcome of the proceeding or any involvement in an earlier stage of the procedure
- ✓ The meeting is minuted
- ✓ They liaise with the Clerk



### **Review Panel Members (Stage 3 and 4)**

Review Panel members should be aware that:

- ✓ The meeting must be independent and impartial and should be seen to be so. No-one may sit on the Review Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it
- ✓ The aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant
- ✓ Many complainants will feel nervous and inhibited in a formal setting
- ✓ Parents/carers often feel emotional when discussing an issue that affects their child
- ✓ The welfare of the child is paramount

## Appendix B – Formal Complaint Form

Please complete this form and return it to school office, together with any accompanying pages or documents, in a sealed envelope marked 'For the attention of the Headteacher'. If your complaint is about the Head, please mark the envelope 'For the attention of the Chair of the Academy Council'.

<b>Your name:</b>	
<b>Pupil's name (if relevant):</b>	
<b>Your relationship with the school (e.g. parent/ carer of pupil):</b>	
<b>Your address:</b>	
<b>Contact telephone number:</b>	
<b>Email address:</b>	

<p><b>Please give concise details of your complaint (including dates, names of witnesses etc.) to allow the matter to be fully investigated)</b></p> <p><b>You may continue on separate paper, or attach additional documents, if you wish.</b></p>	
<p><b>You may continue on separate paper, or attach additional documents, if you wish. Please confirm the number of additional pages:</b></p>	

<b>What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to, and what was the outcome?)</b>	
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<b>What actions do you feel might resolve the problem at this stage?</b>	
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<b>Signature:</b>	
<b>Date:</b>	

**For school use:**

<b>Date form received:</b>	
<b>Received by:</b>	
<b>Date acknowledgement sent:</b>	
<b>Acknowledgement sent by:</b>	
<b>Complaint referred to:</b>	
<b>Date complaint referred:</b>	

## Appendix C – Complaints Panel Request Form

Please complete this form and return it to the school office, together with any accompanying pages or documents, in a sealed envelope marked 'For the attention of the Chair of the Academy Council'.

You should ensure that your request is received within 10 school days of receipt of the decision letter from the Head/ Chair of the Academy Council.

<b>Your name:</b>	
<b>Pupil's name, if relevant:</b>	
<b>Your address:</b>	
<b>Contact telephone number:</b>	
<b>Email address:</b>	

**I am dissatisfied by the decision made and/or the procedures followed and therefore wish for a Complaints Panel to be convened to hear my complaint.**

**I have attached copies of my formal complaint and the response(s) from the school.**

**Please explain why you are dissatisfied with the decision that was made or the procedure that was followed, as appropriate:**

<b>You may continue on separate paper, or attach additional documents, if you wish. Please confirm the number of additional pages:</b>	
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<b>What actions do you feel might resolve the problem at this stage?</b>	
--	--

<b>Signature:</b>	
<b>Date:</b>	

**For school use:**

<b>Date form received:</b>	
<b>Received by:</b>	
<b>Date acknowledgement sent:</b>	
<b>Acknowledgement sent by:</b>	
<b>Request referred to:</b>	
<b>Date request referred:</b>	
<b>Date DBAT Governance Officer informed of request:</b>	

## Appendix D – Board Review Request Form

Please complete this form and send in a sealed envelope, together with any accompanying pages or documents, in a sealed envelope to the Chair of the Board of Trustees, Diocese of Bristol Academies Trust, Kingfisher School, Peglars Way, Swindon, SN1 7DA.

You should ensure that your request is received within 10 school days of receipt of the decision letter from the Head/ Chair of the Academy Council.

<b>Your name:</b>	
<b>Pupil's name, if relevant:</b>	
<b>Your address:</b>	
<b>Contact telephone number:</b>	
<b>Email address:</b>	

**I am dissatisfied by the decision made and/or the procedures followed and therefore wish for a Board Review Panel to be convened to hear my complaint.**

**I have attached copies of my formal complaint and the response(s) from the school.**

**Please explain why you are dissatisfied with the decision that was made or the procedure that was followed, as appropriate:**

<p><b>You may continue on separate paper, or attach additional documents, if you wish. Please confirm the number of additional pages:</b></p>	
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<p><b>What actions do you feel might resolve the problem at this stage?</b></p>	
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<p><b>Signature:</b></p>	
<p><b>Date:</b></p>	

**For school use:**

<p><b>Date form received:</b></p>	
<p><b>Received by:</b></p>	
<p><b>Date acknowledgement sent:</b></p>	
<p><b>Acknowledgement sent by:</b></p>	
<p><b>Request referred to:</b></p>	
<p><b>Date request referred:</b></p>	

## History of most recent policy changes and review period

Date	Page	Change(s) made	Origin of Change (e.g. TU request, change in legislation)
October 2014	New policy	New policy	New policy
March 2019	Whole document		Updated following guidance from DfE
November 2022	Whole document	<ul style="list-style-type: none"> <li>- Updated pronouns</li> <li>- Change references to 'Principal' to 'Head'</li> <li>- Change references to 'Local Board' to 'Academy Council'</li> <li>- Change contact details for Chair of Trustees</li> <li>- Updated link to ESFA complaints procedure</li> </ul>	In line with DBAT procedure
November 2022	Whole document	Updated in light of DfE model complaint procedure	DfE updated guidance, March 2021
November 2022	3.2-3.3; 3.5; 3.7; 4.1; 4.2; 4.8-4.11; 4.13; 4.14; 5.1; 5.4; 6.1.9; 6.1.11; 6.3-4; 7.13; 7.15; 7.19-7.21; 7.28; 7.29; 8.8; 8.10; 8.14-8.16; 8.21; 8.23; 8.24	New clauses based on DfE guidance	DfE updated guidance, March 2021
February 2023	New appendices drafted	New appendices	Updated appendices

Policy Owner	<b>Governance and Admin Directorate</b>
Date Adopted	<b>May 2018</b>
Review Date	<b>December 2023</b>
Next Review Date	<b>December 2026</b>
Level	<b>Level 1</b>
<b>DBAT Policy levels:</b>	
LEVEL 1	DBAT policy for adoption (no changes can be made by the Academy Council; the Academy Council must adopt the policy)
LEVEL 2	DBAT policy for adoption and local approval, with areas for the Academy to update regarding local practice (the main body of the policy cannot be changed)
LEVEL 3	DBAT model policy that the Academy can adopt if it wishes
LEVEL 4	Local policy to be approved by the Academy Council